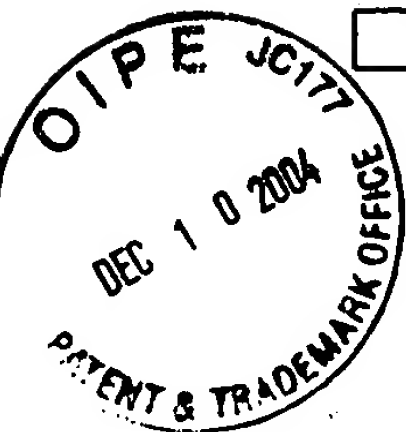




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09/238,995	01/28/1999	JOSEPH G. KAWAN	CITI0122-US	5611

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KILPATRICK STOCKTON LLP  
607 14TH STREET, N.W.  
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*But on your 6.11.02*  
Atty: *W. H. / J. H.*  
Docket/Matter No: *CIT 10122*  
Action: *Final Reg / UA*  
Due: *1-24-03*  
C/U: *12-23, 1-22*

EXAMINER

AKERS, GEOFFREY R

ART UNIT PAPER NUMBER

3624

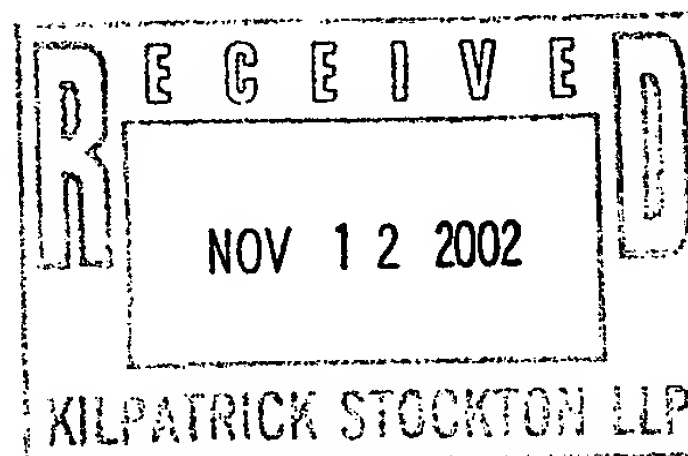
DATE MAILED: 10/29/2002

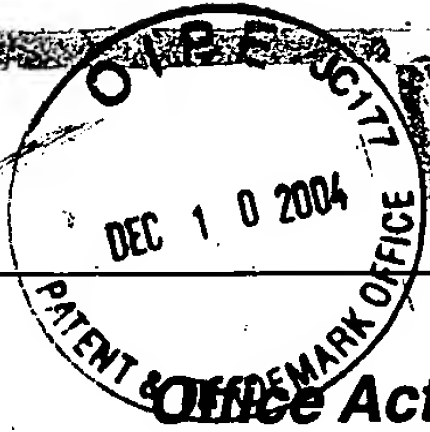
Please find below and/or attached an Office communication concerning this application or proceeding.

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DEC 16 2004

GROUP 3600





# Office Action Summary

Application No.

09/238975

Applicant(s)

K. Ansa

Examiner

Alex G

Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 6/21/02
- ☒ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1-1; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-5, 8, 10-17, 22, 27, 33, 39, 42-50 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-5, 8, 10-17, 22, 27, 33, 39, 42-50, 55-58, 63-66, 69-74, 79-81 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

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GROUP 3600

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## DETAILED ACTION

### *Response to Amendment*

1. This action is responsive to Applicant's Request for Reconsideration(Paper #13) dated 6/21/02.
2. Applicant added no new claims, deleted no more claims, amended no more claims other than those addressed prior in Amendment B(Paper #9) dated 12/26/01.
3. Claims 1-5,8,10-17,22,27,33,39,42-50,55-58,63-66,69-74,79-81 are pending.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1,4,5,8,10,15-17,22,27,33,39,42-50,55-58,63,69,71,73-74,79-81 are rejected under 35 USC 103(a) as unpatentable over Fox (US Pat. No: 5,943,624) in view of Claus(US Pat. No: 5,461,217) in view of Jachimowicz(US Pat. No: 5,789,733) and further in view of Saitoh(US Pat. No: 5,929,414).

6. As per claim 1 Fox teaches a method of interfacing for a smart card comprising allowing a user to establish a physical contact communication interface between a smart card application and an hand held computing device for accessing a smart card application on a microcomputer of the smart card(col 2 lines 10-21)(Fig 2)(col 2 lines 53-59). Fox does not specifically teach

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allowing the user to enter identifying information on the device to initiate a contactless interface. Jachimowicz teaches allowing the user to enter identifying information and transaction information on the computing device allowing the user to initiate a contactless communication interface via the handheld computing device(col 2 lines 59-61) between the smart card application and the self service terminal(col 1 line 62-col 2 line 12) of an on line system of a financial institution whereby the smart card used in the online system is based in part on the identifying information received by the online system via the contactless communication interface between the hand held computer and the self-service transaction terminal and an on-line system and verifying authorization for the communication for the user(col 5 lines 18-21) and communicating the transaction information entered by the user on the hand held computing device(col 1 line 62-col 2 line 60) to the self service transaction terminal of the on-line system(col 5 lines 6-34) via the contactless communication interface(col 1 line 62-col 2 line 12)).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz to teach the above. The motivation to combine is to teach a smart card capable of a secure physically contactless interface as enunciated by Jachimowicz(col 2 lines 46-56). Fox fails to teach on-line communication. Claus teaches on line communication between smart cards(Fig. 1). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz and further in view of Claus to teach this. The motivation to combine is to teach reliable smart card communication to prevent financial loss and provide anonymity as enunciated by Claus(col 1 lines 48-61). Fox does not specifically teach a contact/no-contact communication

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for accessing a smart card. Saitoh teaches establishing a physical contact communication for accessing a smart card(Abstract)(col 2 lines 36-58). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

7. As per claim 4 Fox teaches the method of claim 3 teach wherein initiating the wireless communication interface further comprises initiating a radio frequency communication interface (col 2 lines 10-21).

8. As per claim 5 Fox teaches the according to the method of claim 4 wherein initiating the radio frequency communication interface further comprises initiating a proximity communication interface(col 2 lines 12-29).

9. As per claim 8 Fox teaches the method of claim 1, wherein the financial institution further comprises a bank(col 5 lines 1-12).

10. As per claim 10 Fox teaches the method of claim 9, wherein allowing the user to initiate the contactless communication interface between the smart card application and the self service transaction terminal further comprises allowing the user to initiate the contactless communication interface through a communication transceiver of the terminal(Fig. 5).

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11. As per claim 15 Fox teaches the method of claim 11, wherein the self service transaction terminal comprises a wireless telephone(Figure 1).

12. As per claim 16 Fox teaches the method of claim 10, wherein allowing the user to initiate the contactless communication interface between the smart card application and the self service transaction terminal further allows the user to initiate the contactless communication interface through a wireless transceiver of the terminal(Fig 5).

13. As per claim 17 Fox teaches the method of claim 16, wherein the wireless transceiver further comprises a radio frequency transceiver of the terminal(col 3 lines 60-col 4 line 41).

14. As per claim 22 Fox teaches the method of claim 10, wherein allowing the user to initiate the contactless communication further comprises initiating the communication through a proximity transceiver of the terminal(Fig. 5).

15. As per claim 27 Fox teaches the method of claim 10, wherein allowing the user to initiate the contactless communication further allows the user to initiate the contactless communication between the contactless receiver of the self service transaction terminal and a contactless communication transceiver(Fig 5).

16. As per claim 33 Fox teaches according to the method of claim 27. Fox does not specifically teach wherein the transfer of funds involves the transfer of money from one card to another. Claus teaches this(col 7 lines 17-29).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The

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motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

17. As per claim 39 Fox teaches the method according to claim 1. Fox does not specifically teach wherein verifying the smart card by the online system based at least in part on the identifying information received by the online system via the contactless communication interface between the hand held computing device comprising a personal data assistant and the self-service transaction terminal. Claus teaches this(col 5 lines 19-43)(Fig 1/108/110/116).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

18. As per claim 42 Fox teaches the method of claim 1. Fox does not specifically teach wherein verifying the smart card further comprises verifying the authenticity of the smart card. Claus teaches this(col 5 lines 8-19)(Fig 1/126/128/120/104/102).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be

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operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

19. As per claim 43 Fox teaches the method of claim 1. Fox does not specifically teach wherein verifying the authorization further comprises verifying the smart card further comprises checking security information for the user. Claus teaches this(col 5 lines 19-43)(Fig 1/108/110/116).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

20. As per claim 44 Fox teaches according to the method of claim 1. Fox does not teach specifically wherein verifying the authorization further comprises verifying the authorization by a key. Claus teaches this(col 5 lines 19-43)(Fig 1/108/110/116).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).



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21. As per claim 45 Fox teaches the method of claim 44, wherein receiving security information further comprises receiving a PIN number for the user(col 5 lines 18-22).

22. As per claim 46 Fox teaches the method of claim 44, wherein receiving security information further comprises receiving a PIN number for the user(col 5 lines 18-22).

23. As per claim 47 Fox teaches according to the method of claim 44. Fox fails to teach wherein receiving security information further comprises receiving the security information on an input/output device. Claus teaches this(Fig 1/145/149).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

24. As per claim 48 Fox teaches according to the method of claim 47. Fox does not specifically teach wherein receiving security information further comprises receiving the security information on an input/output device. Claus teaches this(Fig 1/145/149).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

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25. As per claim 49 Fox teaches according to the method of claim 48. Fox does not specifically teach wherein the transfer of funds involves the transfer of money from one card to another. Claus teaches this(col 7 lines 17-29). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

26. As per claim 50 Fox teaches the method of claim 47, wherein receiving the security information further comprises receiving the information through the input/output device of a terminal(col 5 lines 12-25).

27. As per claim 55 Fox teaches according to the method of claim 1. Fox does not specifically teach wherein allowing the user to enter the transaction information further comprises receiving the information through an input/output device. Claus teaches this(Fig. 1/141/145/149).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

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28. As per claim 56 Fox teaches according to the method of claim 55. Fox does not specifically teach wherein receiving the information further comprises receiving the information through an input/output device of a personal data device. Claus teaches this(Fig. 1/141/145/149). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

29. As per claim 57 Fox teaches according to the method of claim 56. Fox does not specifically teach wherein the transfer of funds involves the transfer of money from one card to another. Claus teaches this(col 7 lines 17-29).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

30. As per claim 58 Fox teaches the method according to claim 55. Fox does not specifically teach wherein communicating the information further comprises receiving the information through an input/output device. Claus teaches this(Fig. 1/141/145/149).It would have been obvious to one

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skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

31. As per claim 63 Fox teaches an interface system for a smart card, comprising a self service transaction terminal of a online system of a financial institution and means for a hand held computer of establishing a physical communication interface with the smart card for accessing the smart card application and the interface between the handheld computing device and the self service transaction terminal (col 5 lines 18-21)(col 5 lines 6-34) with communication between a smart card application and an on-line system(col 2 lines 10-21)(Fig. 2)(col 2 lines 53-59) and wherein the hand held computing device is capable of communicating the transaction information to the online system. Fox does not specifically teach a contactless system. Jachimowicz teaches allowing the user to enter identifying information and transaction information on the computing device allowing the user to initiate a contactless communication interface via the handheld computing device(col 2 lines 59-61) between the smart card application and the self service terminal(col 1 line 62-col 2 line 12) of an on line system of a financial institution whereby the smart card used in the online system is based in part on the identifying information received by the online system via the contactless communication interface between the hand held computer and the self-service transaction terminal and an on-line system and verifying authorization for the

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communication for the user(col 5 lines 18-21) and communicating the transaction information entered by the user on the hand held computing device(col 1 line 62-col 2 line 60) to the self service transaction terminal of the on-line system(col 5 lines 6-34) via the contactless communication interface(col 1 line 62-col 2 line 12)).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz to teach the above. The motivation to combine is to teach a smart card capable of a secure physically contactless interface as enunciated by Jachimowicz(col 2 lines 46-56). Fox does not specifically teach on-line communication between smart cards. Claus teaches on line communication between smart cards(Fig. 1).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz and further in view of Claus to teach this. The motivation to combine is to teach reliable smart card communication to prevent financial loss and provide anonymity as enunciated by Claus(col 1 lines 48-61). Fox does not specifically teach a contact/no-contact communication for accessing a smart card. Saitoh teaches establishing a physical contact communication for accessing a smart card(Abstract)(col 2 lines 36-58). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation to combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

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32. As per claim 69 Fox teaches the method of claim 63, wherein the self service transaction terminal comprises an automated teller machine(col 5 lines 12-25).

33. As per claim 71 Fox teaches the method of claim 63, wherein the self service transaction terminal comprises a telephone(col 2 lines 10-29)(col 4 lines 9-29).

34. As per claim 73 Fox teaches the method of claim 63 wherein initiating the hand held computing device further comprises initiating the communication between the contactless communication transceiver of the terminal and a contactless communication transceiver(Fig 5).

35. As per claim 74 Fox teaches according to the method of claim 73. Fox does not specifically teach wherein the transfer of funds involves the transfer of money from one card to another. Claus teaches this(col 7 lines 17-29).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

36. As per claim 79 Fox teaches the according to the method of claim 1. Fox does to teach specifically wherein the accessing of the smart card application comprises executing the smart card application. Saitoh teaches this(Fig 1)(col 3 line 46-col 4 line 8)(col 5 line 22-43).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to

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apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

37. As per claim 80 Fox teaches according to the method of claim 1. Fox does not specifically teach wherein the accessing of the smart card application comprises loading the smart card application(col 4 lines 27-45).Saitoh teaches this.It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

38. As per claim 81 Fox teaches according to the method of claim 80. Fox does not specifically teach comprising performing the initiating of a contactless communication the verifying authorization and the communicating information. Saitoh teaches this(Fig 12)(col 7 line 48-col 8 line 7).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Saitoh to teach the above and to apply these techniques to financial institutions. The motivation is combine is to further teach an IC card which can be operated with both a contact IC card reader-writer and

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non-contact IC card reader-writer (contact-non-contact IC card reader-writer) as enunciated by Saitoh(col 2 lines 35-43).

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39. Claim 13 is rejected under 35 USC 103(a) as unpatentable over Fox(US Pat. No: 5,943,624) in view of Claus(US Pat. No: 5,461,217) in view of Jachimowicz(US Pat. No: 5,789,733) and further in view of Pitroda(US Pat. No: 5,590,038).

40. As per claim 13 Fox teaches according to the method of claim 11. Fox does not specifically teach wherein the terminal comprises a personal computer. Pitroda teaches this(col 2 lines 66-col 3 line 3).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz to teach part of the above. The motivation to combine is to teach a smart card capable of a secure physically contactless interface as enunciated by Jachimowicz(col 2 lines 46-56). It would also have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz and further in view of Claus to teach more of the above. The motivation to combine is to teach reliable smart card communication to prevent financial loss and provide anonymity as enunciated by Claus(col 1 lines 48-61). Finally, it would also have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Jachimowicz in view of Claus and further in view of Pitroda to teach the above. The motivation is combine is to teach a universal electronic hand-held transaction smart card as enunciated by Pitroda(col 2 lines 44-48).

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41. Claim 66 is rejected under 35 USC 103(a) as unpatentable over Fox(US Pat. No: 5,943,624) in view of Claus(US Pat. No: 5,461,217) and further in view of Saitoh(US Pat. No: 5,929,414).

42. As per claim 66 Fox teaches according to the method of claim 63 wherein initiating the wireless communication interface further comprises initiating a radio frequency communication interface(col 2 lines 10-30).

\*\*\*\*\*

43. Claims 2-3,11-12,14,64-65 are rejected under 35 USC 103(a) as unpatentable over Fox(US Pat. No: 5,943,624) in view of Claus(US Pat. No: 5,461,217) and further in view of Jachimowicz(US Pat. No: 5,789,733).

44. As per claim 2 Fox teaches the according to the method of claim 1. Fox does not teach specifically wherein initiating the communication further comprises initiating an infrared communication interface. Jachimowicz teaches this(col 1 line 62-col 2 line 12).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus to teach part of the above. The motivation to combine is to teach reliable smart card communication to prevent financial loss and provide anonymity as enunciated by Claus(col 1 lines 48-61). It would also have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to teach the above. The motivation to combine is to teach a smart card capable of a secure physically contactless interface as enunciated by Jachimowicz(col 2 lines 46-56).

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45. As per claim 3 Fox teaches according to the method of claim 1. Fox does not specifically teach wherein initiating the communication further comprises initiating an infrared communication interface and a wireless form of communication. Jachimowicz teaches this(col 1 line 62-col 2 line 12), and a wireless form of communication. It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus to teach part of the above. The motivation to combine is to teach reliable smart card communication to prevent financial loss and provide anonymity as enunciated by Claus(col 1 lines 48-61). It would also have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to teach the above. The motivation to combine is to teach a smart card capable of a secure physically contactless interface as enunciated by Jachimowicz(col 2 lines 46-56).

46. As per claim 11 Fox teaches according to the method of claim 10. Fox does not specifically teach wherein initiating the communication further comprises initiating the communication through an infrared transceiver of the terminal. Jachimowicz teaches this(col 2 lines 46-58)(Fig 5). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus to teach part of the above. The motivation to combine is to teach reliable smart card communication to prevent financial loss and provide anonymity as enunciated by Claus(col 1 lines 48-61). It would also have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to

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teach the above. The motivation to combine is to teach a smart card capable of a secure physically contactless interface as enunciated by Jachimowicz(col 2 lines 46-56).

47. As per claim 12 Fox teaches the method of claim 11, wherein the terminal comprises an automated teller machine(col 5 lines 12-25).

48. As per claim 14 Fox teaches the method of claim 11, wherein the terminal comprises a telephone(col 2 lines 10-29)(col 4 lines 9-29).

49. As per claim 64 Fox teaches according to the method of claim 63. Fox does not specifically teach wherein initiating the communication further comprises initiating an infrared communication interface. Jachimowicz teaches this(col 1 line 62-col 2 line 12).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus to teach part of the above. The motivation to combine is to teach reliable smart card communication to prevent financial loss and provide anonymity as enunciated by Claus(col 1 lines 48-61). It would also have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to teach the above. The motivation to combine is to teach a smart card capable of a secure physically contactless interface as enunciated by Jachimowicz(col 2 lines 46-56).

50. As per claim 65 Fox teaches the method of claim 63. Fox does not specifically teach wherein initiating the communication further comprises initiating an infrared communication interface and a wireless communication. Jachimowicz teaches this(col 1 line 62-col 2 line 12).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in

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view of Claus to teach part of the above. The motivation to combine is to teach reliable smart card communication to prevent financial loss and provide anonymity as enunciated by Claus(col 1 lines 48-61). It would also have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to teach the above. The motivation to combine is to teach a smart card capable of a secure physically contactless interface as enunciated by Jachimowicz(col 2 lines 46-56).

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51. Claims 70,72 are rejected under 35 USC 103(a) as unpatenable over Fox(US Pat. No:5,943,624) in view of Claus(US Pat. No: 5,461,217) and further in view of Pitroda(US Pat. No: 5,590,038).

52. As per claim 70 Fox teaches according to the method of claim 68. Fox does not specifically teach wherein the terminal comprises a personal computer. Pitroda teaches this(col 2 lines 66-col 3 line 3).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus to teach part of the above. The motivation to combine is to teach reliable smart card communication to prevent financial loss and provide anonymity as enunciated by Claus(col 1 lines 48-61). It would also have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Pitroda to teach the above. The motivation to combine is to teach a universal transaction smart card capable of storing, transmitting and receiving transactional information that is hand held(col 2 lines 46-66) as enunciated by Pitroda.

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53. As per claim 72 Fox teaches according to the system of claim 63. Fox does not specifically teach wherein the on-line system comprises a bank host on-line system. Pitroda teaches this(col 2 lines 44-66).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus to teach part of the above. The motivation to combine is to teach reliable smart card communication to prevent financial loss and provide anonymity as enunciated by Claus(col 1 lines 48-61). It would also have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Pitroda to teach the above. The motivation to combine is to teach a universal transaction smart card capable of storing, transmitting and receiving transactional information that is hand held(col 2 lines 46-66) as enunciated by Pitroda.

### *Response to Arguments*

Applicant's arguments filed 6/21/02 have been fully considered but they are not persuasive. Applicant's objections to the rejections in the Office Action are limited to a few elements. In particular, applicant argues that Fox teaches away from the use of a smart card. Contrarily, Fox teaches the incorporation of smartcard devices in a cellular telephone for enhanced verification and security and accessibility to data stored on the smartcard(col 1 line 4-8)(Fig 1)(col 2 lines 10-30). Fox teaches smartcard functions(col 2 line 49) and circuitry (Fig 2/42) which are functionally and operationally equivalent to a smartcard(col 2 lines 60-63).Fox also teaches a smartcard interface(Fig 2/40) over which bi-directional RF communication(col 2 lines 53-55) is transmitted(Fig 2/26/40/42/24/46)(Fig 5/40/26/42/44/46/20/24).Indeed the cellular

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telephone is a handheld device as is taught by Fox(col 2 lines 63-65)(Fig 1) and the cellular telephone circuitry is connected to the smartcard logic function circuit(col 3 lines 3-13)(Fig 2/46/24/42). Thus Fox does indeed teach a physical interface(Fig 2/40) between a smart card(Fig 2/42) and a hand held device(Fig 2/10).

Combinatorial motivations are taught and cited in the secondary references in the rejections. Jachimowicz utilizes a contactless interface between a smart card application and a self service terminal(col 1 line 61-col 2 line 12). The transaction/communication is between the smart card and a remote reader transmitter(col 2 lines 1-3). Jachimowicz does indeed display contactless communication through the optical linkage discussed in this reference as well as communicating responsive data to a remote reader/transmitter(col 2 lines 11-12) through a terminal(col 2 lines 13-18). Furthermore, Jachimowicz teaches that the smart card is portable(hand held) and may be carried in a wallet or shirt pocket(col 2 lines 59-61). Lastly, with respect to applicant's comments on page 4 or his Response, since the independent claim is herein rejectable, applicant's several subsequent comments are inapplicable.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Questions concerning this communication should be directed to the examiner, Dr. Geoffrey Akers, P.E. who can be contacted between the hours of 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to reach the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE may be telephoned at (703)-308-1065.

GRA

July 29, 2002

**Attachment for PTO-948 (Rev. 03/01, or earlier)  
6/18/01**

**The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.**

**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

**1. Correction of Informalities -- 37 CFR 1.85**

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

**2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.**

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

**Timing of Corrections**

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.